Cont. A6
A6

19.   (Amended)   The system of claim 15, wherein said server is operable to generate a report indicating a consumer trend from said market research data of consumer preferences stored in said database for a product/service category selected by an operator.

Please add the following new claim:

A7

--21.   (New)   The system of claim 18, wherein said processing device is operable to display said selected products or services to said consumer and operable to receive inputs from said consumer to control the display of said selected products or services, thereby enabling said consumer to virtually investigate or examine said selected products or services.--

REMARKS/ARGUMENTS

In light of the above-amendments and remarks to follow, reconsideration and allowance of this application are requested.

The title of the invention has been amended to conform to the title specified in applicants' Declaration of Patent Application executed on August 21, 2001 and filed with this application on August 23, 2001. Accordingly, the title has been amended to read: "METHOD AND APPARATUS FOR OBTAINING CONSUMER PRODUCT PREFERENCES THROUGH INTERACTIVE PRODUCT SELECTION AND EVALUATION". It is respectfully requested that the amended title be accepted.

Claim 14 has been canceled and claims 1-5, 8-11, 13, 15, 16, 18 and 19 have been amended herein. Claim 21 has been added. Accordingly, claims 1-13 and 15-21 are presented for consideration.

Claim 10 has been objected under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 10 has been amended to overcome the Examiner's objections. It is requested that the objection of claim 10 under 37 C.F.R. § 1.75(c) be withdrawn.

Claims 1-14 have been rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which is regarded as the invention. Claim 14 has been canceled, thereby obviating the rejection of this claim. Claims 1-5, 8-11 and 13 have been amended to overcome Examiner's rejections and to incorporate the Examiner's suggestions. It is requested that the rejection of claims 1-13 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1-20 have been rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,029,161 (Lang et al.). Claim 14 has been canceled, thereby obviating the rejection of this claim. Applicants respectfully traverse the rejection to the remaining claims.

Lang et al. relates to "an information processing system which processes collaborative feedback data entered into a network by various users who have evaluated a particular informon, in order to contribute to an evaluation of the particular informon in a determination of its relevancy and value to a user who has not considered the particular informon" (col. 2, lines 16-22). Contrary to the Examiner's assertion, the present invention does not process or utilize collaborative feedback data.

Only the present invention teaches or suggests "providing market research data of consumer preferences from said consumer interested in said product/service category," as recited in amended independent claims 1, 13 and 15. Even assuming *arguendo* that Lang et al. relates to the present invention, Lang et al. at best would provide consensus group preferences (i.e., mindpool) wherein the results can be skewed by a dominant individual or an established member of the community. As admitted by the Examiner, in Lang et al., "information from a new source has a low credibility ranking until established in that area or community" (Office Action, page 4, lines 2-3).

In addition, Lang et al. is not suggestive of searching and displaying a list of products or services satisfying the product/service criteria selected by a consumer, as called for in independent claims 1, 13 and 15. As admitted by the Examiner, the consumer profile represents "predetermined consumer preference criteria relative to the communities of which the user is a member client" (Office Action, page 4, liens 6-8; see also Lang et al., col. 10, lines 53-56). Accordingly, the consumer preference criteria is not selected by the consumer at the time of the search in Lang et al., but is predetermined with respect to the preferences of the community.

Moreover, Lang et al. does not teach or suggest ordering the list of products or services satisfying the selected product/service criteria based on the ranking parameter, as called for in independent claims 1, 13 and 15.

Of course, a rejection based on 35 U.S.C. §102(e) requires that the cited reference disclose each and every element covered by the claim. *Electro Medical Systems S.A. v. Cooper Life Sciences Inc.*, 32 USPQ2d 1017, 1019 (Fed. Cir. 1994); *Lewmar Marine Inc. v. Barient Inc.*, 3 USPQ2d 1766, 1767-68 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988); *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.), *cert. denied*, 484 U.S. 827 (1987). The Federal Circuit has mandated that 35 U.S.C. §102 requires no less than "complete anticipation ... [a]nticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim." *Connell v. sears, Roebuck & Co.*, 772 F.2d 1542, 1548, 220 USPQ 193, 198 (Fed. Cir. 1983); *See also, Electro Medical Systems,* 32 USPQ2d at 1019; *Verdegaal Bros.,* 814 F.2d at 631.

In view of the foregoing differences and authorities, it is respectfully submitted that Lang et al. does not anticipate the invention as recited in claims 1, 13 and 15, and therefore, claims 1, 13 and 15 are patentably distinct over this prior art. It is respectfully requested that the rejection of claims 1, 13 and 15 under 35 U.S.C. §102(e) be withdrawn.

Since claims 2-12 and 16-20 depend from claims 1 and 15, the foregoing discussion of claims 1 and 15 is equally applicable to claims 2-12 and 16-20 and is believed to obviate the rejection of claims 2-12 and 16-20.

Further, Lang et al. does not teach or suggest "selecting a range for each criteria selected by said consumer", as recited in claim 5.

Furthermore, Lang et al. is not suggestive of controlling the display of the selected products or services to enable the consumer to virtually investigate or examine the selected product, as recited in claims 6 and 7 .

New claim 21 is a system claim and recites a device for performing those functions which are set forth in the steps of method claim 6. The allowance of claim 21 is solicited for the reasons given above with respect to claim 6.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.
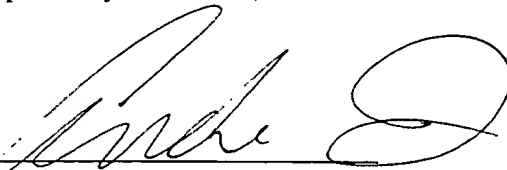
Applicant's representative agrees with the Examiner's implicit finding that the prior art made of record and not relied upon is not as relevant to the claimed invention as Lang et al.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-JONAS 203.1 US (10103964) from which the undersigned is authorized to draw.

Dated: April 17, 2002   Respectfully submitted,

By _____

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1.   (Amended)   A method for obtaining consumer preferences for a product/service category over a communications network from a plurality of consumers, comprising the steps of:

selecting one or more product/service [or service] criteria for said product/service category and [one or more] at least one of said selected product/service criteria as a ranking parameter by a consumer;

searching a database connected to said network [having product/service information and consumer preferences] for products or services in said product/service category based on said selected product/service criteria;

displaying a list of products or services [related to] satisfying said selected product/service criteria [ordered in accordance with said ranking parameter] on a processing device associated with said consumer, said list being ordered in accordance with said ranking parameter; and

[updating consumer preferences in said database with said criteria and said ranking parameter]

storing said selected product/service criteria and said ranking parameter in said database, thereby providing market research data of consumer preferences from said consumer interested in said product/service category.

2.   (Amended)   The method of claim 1, wherein the step of searching searches said database for products or services that [satisfies or] matches closest to said selected product/service criteria.

3.   (Amended)   The method of claim 1, further comprising the step of entering one or more new product/service criteria by said consumer if it is determined that no product or service in said [product] database [relates to] satisfies said selected product/service

criteria; and wherein the step of searching searches said product database for products or services <u>in said product/service category</u> based on said new <u>product/service</u> criteria.

4.   (Amended)   The method of claim 1, further comprising the steps of:

selecting one or more products or services from said list by said consumer;

retrieving product/service information for said selected products or services from said database;

displaying product/service information of said selected products or services on said processing device; and

[updating said consumer preferences in said database with] <u>storing</u> said selected products or services <u>in said database as market research data of consumer preferences.</u>

5.   (Amended)   The method of claim 1, wherein the step of selecting one or more product/service [or service] criteria includes the steps of:

displaying a list of product/service [and service] criteria for selection by said consumer; and

selecting a range for each <u>product/service</u> criteria selected by said consumer.

8.   (Amended)   The method of claim 1, further comprising the steps of:

selecting additional <u>product/service</u> criteria by said consumer;

searching said database for products or services <u>in said product/service category</u> based on said selected <u>product/service</u> criteria and said additional <u>product/service</u> criteria;

displaying a list of products or services related to said selected <u>product/service</u> criteria and said additional <u>product/service</u> criteria [ordered in accordance with said ranking parameter] on said processing device, <u>said list being ordered in accordance with said ranking parameter;</u> and

[updating said consumer preferences in said database with] <u>storing</u> said additional criteria in said databases <u>as market research data of consumer preferences.</u>

9.   (Amended)   The method of claim 1, wherein said database includes advertisements and further comprising the step of:

selecting an advertisement from said database in accordance with said selected product/service criteria; and

displaying said advertisement along with said list on said processing device.

10. (Amended) The method of claim 9, wherein said database comprises [:] a product database having product/service information, [;] a marketing database having consumer preferences, [;] and an advertisement database having advertisements; and wherein the step of searching searches said product database for products or services in said product/service category based on said selected product/service criteria; wherein the step of storing stores said selected product/service criteria and said ranking parameter in said marketing database as market research data of consumer preferences; and wherein the step of selecting the advertisement selects advertisement from said advertisement database in accordance with said selected product/service criteria.

11. (Amended) The method of claim 1, further comprising the step of generating a report indicating a consumer trend from said market research data of consumer preferences in said database for a product/service category [or service] selected by an operator.

13. (Amended) A method for targeting advertisement over a communications network, comprising the steps of:

selecting one or more product/service [or service] criteria for a product/service category and [one or more] at least one of said selected product/service criteria as a ranking parameter by a consumer;

searching a product database connected to said network for products or services in said product/service category based on said selected product/service criteria and an advertisement database connected to said network for one or more advertisement based on said selected product/service criteria; [and]

displaying said advertisement and a list of products or services [related to] satisfying said selected product/service criteria [ordered in accordance with said ranking

parameter] on a processing device associated with said consumer, said list being ordered in accordance with said ranking parameter; and

storing said selected product/service criteria and said ranking parameter, thereby providing market research data of consumer preferences from said consumer interested in said product/service category.

15.   (Amended)   A system for acquiring and storing consumer preferences for a product/service category over a communications network from a plurality of consumers, comprising:

a plurality of processing devices connected to said network, each processing device being associated with a consumer, and having an input device for selecting one or more product/service [or service] criteria for said product/service category and [one or more] at least one of said selected product/service criteria as a ranking parameter by said consumer;

a database connected to said network [having product/service information, consumer preferences and advertisements]; and

a server for receiving said selected product/service criteria and said ranking parameter from a processing device associated with said consumer over said network, for searching said database for products or services in said product/service category [,] and advertisements based on said selected product/service criteria, for transmitting advertisements and a list of products and services [related to] satisfying said selected product/service criteria [ordered in accordance with said ranking parameter] to said processing device over said network, said list being ordered in accordance with said ranking parameter, [updating said stored consumer preferences in said database with] for storing said selected product/service criteria and said ranking parameter in said database, thereby providing market research data of consumer preferences from said consumer interested in said product/service category; and

wherein said computer associated with said consumer is operable to display said list and said advertisements to said consumer.

16.   (Amended)   The system of claim 15, wherein said server is operable to generate one or more new [search] product/service criteria based on inputs from said consumer if is determined that no product or service in said database [relates to] satisfies said selected product/service criteria; and wherein said server is operable to search said database based on said new product/service criteria.

18.   (Amended)   The system of claim 15, wherein said server is operable to search said database for product/service information related to one or more [product] products or [service] services selected by said consumer from said list and operable to store [update said database with] said selected [product or service] products or services in said database as market research data of consumer preferences; and wherein said processing device is operable to display said product/service information to said consumer.

19.   (Amended)   The system of claim 15, wherein said server is operable to generate a report indicating a consumer trend from said market research data of consumer preferences stored in said database for a product/service category [or service] selected by an operator.